

DECLARATION AND POWER OF ATTORNEY
FOR UTILITY OR DESIGN PATENT APPLICATION
(37 CFR 1.63)

As a below inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if a single name listed below) or an original, first and joint inventor (if plural names listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMMUNOSTIMULATING AGENTS (as amended)

the specification of which

☐ is attached hereto
☒ was filed on November 14, 2005 as United States Application Number 10/557,108 (or PCT International Application Number PCT/JP2004/006793; filed 13 May 2004).

I hereby authorize and request my attorney to insert the application number and filing date, when known, into this declaration executed by me for this invention.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Claimed ? | Certified Copy Attached? |
|-------------------------------------|---------|----------------------------------|--------------------|--------------------------|
| 2003-136876 | Japan | 05/15/2003 | Yes | No |
| | | | | |

I hereby claim the benefit under 35 U.S.C. 119(e) of United States provisional application(s) listed below.

| Application Number(s) | Day/Month/Year Filed | Additional Provisional Application Numbers Listed on Supplemental Priority Data Sheet Attached |
|-----------------------|----------------------|--|
| | | |

I hereby claim the benefit under Title 35, United States, § 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| U.S. Parent Application or PCT Parent Number | Parent Filing Date Day/Month/Year Filed | Parent Patent Number (if applicable) |
|--|---|--------------------------------------|
| | | |
| | | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the Attorneys associated with Customer No. 027885, to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

DIRECT TELEPHONE CALLS TO: **DIRECT ALL CORRESPONDENCE TO:**

| | |
|----------------------------------|---|
| Jay F. Moldovanyi | Jay F. Moldovanyi |
| Telephone: 216-861-5582 | Fay, Sharpe, Fagan, Minnich & McKee, LLP |
| Facsimile: 216-241-1666 | 1100 Superior Avenue, 7 th Floor |
| Email: jmoldovanyi@faysharpe.com | Cleveland, OH 44114-2579 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Joint Inventor: Masami MIZU

Inventor's Signature: Masami Mizu

Date: 2 November 2005

Residence: Nakachaya, Sakai-shi, Osaka

Country of Citizenship: Japan

Mailing Address: 74-10, Nakachaya, Sakai-shi, Osaka
599-8128, Japan

Name of Second Joint Inventor: Seiji SHINKAI

Inventor's Signature: S. Shinkai

Date: 2 November, 2005

Residence: Mitoma, Higashi-ku, Fukuoka-shi

Country of Citizenship: Japan

Mailing Address: 2-13-17, Mitoma, Higashi-ku, Fukuoka-shi
Fukuoka 811-0201, Japan

Name of Third Joint Inventor:

Kazuo SAKURAI

Inventor's Signature:

Kazuo Sakurai

Date:

2 November 2005

Residence:

Nishishinmachi, Himeji-shi, Hyogo

Country of Citizenship:

Japan

Mailing Address:

117-7, Nishishinmachi, Himeji-shi, Hyogo
670-0033, Japan

Name of Fourth Joint Inventor:

Kazuya KOUMOTO

Inventor's Signature:

Kazuya Koumoto

Date:

2 November 2005

Residence:

Iougaoka, Yawatanishi-ku, Kitakyushu-shi

Country of Citizenship:

Japan

Mailing Address:

8-11, Iougaoka, Yawatanishi-ku,
Kitakyushu-shi 807-0804, Japan

Name of Fifth Joint Inventor:

Munenori NUMATA

Inventor's Signature:

Munenori Numata

Date:

2 November 2005

Residence:

Matsuzaki, Higashi-ku, Fukuoka-shi

Country of Citizenship:

Japan

Mailing Address:

3-13-7, Matsuzaki, Higashi-ku,
Fukuoka-shi Fukuoka 813-0035, Japan

Name of Sixth Joint Inventor:

Takahiro MATSUMOTO

Inventor's Signature:

Takahiro Matsumoto

Date:

2 November 2005

Residence:

Hakomatsu, Higashi-ku, Fukuoka-shi

Country of Citizenship:

Japan

Mailing Address:

3-13-17-101, Hakomatsu, Higashi-ku,
Fukuoka-shi, Fukuoka 811-0201, Japan